

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI**

**MINUTES OF CIVIL JURY/NON JURY TRIAL**

**Presiding Judicial Official** CATHERINE D. PERRY    **Date** 12/4/09    **Case No.** 4:06MD1811 CDP

In Re: Genetically Modified Rice Litigation

Parties present for  JURY TRIAL  NON JURY TRIAL    Trial Day: 21

Court Reporter T. Hopwood    Deputy Clerk K. Hisaw

Attorney(s) for Plaintiff(s) Don Downing, Grant Davis, Gretchen Garrison, William Chaney, Adam Levitt

Attorney(s) for Defendant(s) Mark Ferguson, Eric Olson, Stephen Cowen, Glen Summers, Terry Lueckenhoff

Jury impaneled and sworn.     Opening Statement(s) of  Plaintiff(s)  Defendant(s) made.

Plaintiff(s) evidence  commenced  resumed  and  but not  concluded.

Defendant(s) evidence  commenced  resumed  and  but not  concluded.

Plaintiff(s) evidence in rebuttal  commenced  resumed  and  but not  concluded.

Defendant(s) evidence in surrebuttal  commenced  resumed  and  but not  concluded.

Oral  Written Motion for Judgment as a Matter of Law at close of  pltf's case  deft's case  filed  made/argued by  pltf(s)  deft(s) and is  Overruled/Denied  Sustained  Court's ruling reserved

taken under submission  taken with the case  held in abeyance

Closing Arguments of counsel made.  Case taken under advisement.

(Simultaneous) briefs due \_\_\_\_\_.  Case is settled. Dismissal papers due \_\_\_\_\_.

**Jury continued deliberations at 8:45 a.m.**

**Verdict(s) returned at 10:45 a.m.**

**Jury having heard evidence re: punitive damages, retires to consider its verdict(s) at 12:40 p.m.**

**Verdict(s) returned at 1:55 p.m.**

Jury unable to agree upon its verdict(s) by \_\_\_\_ am/pm is excused to resume deliberations \_\_\_\_ at \_\_\_\_ am/pm

On motion of  plaintiff  defendant  Court the jury is polled.

Proceedings to continue \_\_\_\_\_ at \_\_\_\_ am/pm

**Judgment is entered accordingly this date.  Depositions  Exhibits retained by  Court  Counsel.**

**PROCEEDINGS COMMENCED: 11:00 a.m. - 12:40 p.m. CONCLUDED: 2:00 p.m. - 2:05 p.m.**

Matters on the record: 9:30 a.m. -10:00 a.m.